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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH F. ARISPE,
Plaintiff,

v.
TOM TIMMER, *et al.*,
Defendants.

No. C-03-4269 CRB (EMC)

**NOTICE AND ORDER SETTING
FURTHER SETTLEMENT
CONFERENCE**

TO ALL PARTIES AND COUNSEL OF RECORD:

You are hereby notified that a further settlement conference is scheduled for **August 1, 2005**,
at 9:30 a.m., Courtroom C, 15th Floor, 450 Golden Gate Avenue, San Francisco, California 94102.

◆ **Further Settlement Conference statements shall be lodged with the Court by
July 25, 2005. If this case is designated as an electronic filing ("e-filing") case,
statements must be lodged by hard copy only and should not be electronically
filed.**

Lead trial counsel shall appear at the settlement conference **with the parties**. Any party
who is not a natural person shall be represented by the person or persons not directly involved in the
events which gave rise to the litigation but with **full authority** to negotiate a settlement. A person
who needs to call another person not present before agreeing to any settlement does not have **full
authority**. **Full authority means authority to accept the last demand or counter-offer by the
other party**. If a party is a governmental entity, its governing body shall designate one of its
members or a senior executive to appear at the settlement conference with authority to participate in
the settlement conference and, if a tentative settlement agreement is reached, to recommend the

1 agreement to the governmental entity for its approval. **An insured party shall appear with a**
2 **representative of the carrier with full authority to negotiate up to the limits of coverage.** The
3 Court shall be notified immediately if the carrier declines to attend. **Personal attendance of a**
4 **party representative** will rarely be excused by the Court, and then only upon separate written
5 application demonstrating substantial hardship served on opposing counsel and lodged as early as
6 the basis for the hardship is known but no later than the settlement conference statement.

7 All other provisions of this Court's original Notice of Settlement Conference and Settlement
8 Conference Order shall remain in effect.

9 The parties shall notify Magistrate Judge Chen's secretary, Leni Doyle, **immediately** at (415)
10 522-4050 if this case settles prior to the date set for further settlement conference.

11
12 IT IS SO ORDERED.

13
14 Dated: July 7, 2005



15 EDWARD M. CHEN
16 United States Magistrate Judge